

EXPRESS MAIL NO. EL615207229US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Thomas H. TURPEN, et al.

Application No.: To be Assigned

Filed: Herewith

For: **PRODUCTION OF LYSOSOMAL
ENZYMES IN PLANTS BY
TRANSIENT EXPRESSION**

Group Art Unit: To be Assigned

Examiner: To be Assigned

Attorney's Docket No: 00801.0087.CPUS05

**PRELIMINARY AMENDMENT
UNDER 37 C.F.R. § 1.607 COPYING CLAIMS
FROM PATENT FOR PURPOSES OF INTERFERENCE**

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

Applicants present the following claims and request that an interference be declared between these claims and the claims of U.S. Patent No. 5,929,304, issued July 27, 1999.

AMENDMENT

IN THE CLAIMS:

Please add the following claim:

--2. A recombinant expression construct comprising a nucleotide sequence encoding a protein of interest and a promoter that regulates the expression of the nucleotide sequence in a plant cell.

REMARKS

On July 27, 1999, U.S. Patent No. 5,929,304 (hereinafter, the "'304 Patent") issued to Davis N. Radin, Carole L. Cramer, Karen Oishi, and Deborah Weissenborn. The patent is entitled PRODUCTION OF LYSOSOMAL ENZYMES IN PLANT-BASED EXPRESSION.

Claim 2, as recited above, was added to the subject application. This claim defines the same invention as claim 19 of U.S. Patent No. 5,929,304.